



**HELEN F. DALTON & ASSOCIATES, P.C.**  
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December 27, 2021

**Via ECF**

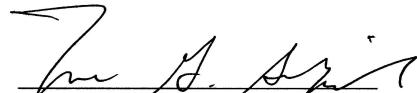
The Honorable Lorna G. Schofield, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application GRANTED. Plaintiff shall file any Proposed Order to Show Cause for Default Judgment and related motion papers by December 31, 2021. So Ordered.

Dated: December 28, 2021  
New York, New York

Re: **Amaya et al v. Buildsmart LLC et al**  
21-cv-6378 (LGS)

Dear Judge Schofield:



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Our office represents the nine (9) named Plaintiffs in this collective action, and we submit this letter to respectfully request leave of Court for a brief additional extension of time for Plaintiffs to file their proposed Order to Show Cause for Default Judgment, and related motion papers as provided by this Court's Individual Rules (hereinafter, "the Motion").

Previously, on December 7, 2021, Your Honor granted Plaintiffs' request for an extension of time to file their Motion "papers by December 27, 2021, and further directed that, "[n]o further extension will be granted absent extraordinary circumstances." Dkt. No. 19. It is respectfully submitted that such "extraordinary circumstances" indeed exist insofar as the undersigned recently tested positive for Covid-19, as have approximately half of our office staff and attorneys, and have been quarantined while recovering exacerbating such issues.

Plaintiffs had hoped and anticipated being able to file their Motion by earlier today, December 27, 2021, but had not had the ability to do so based on the foregoing by such deadline. Accordingly, Plaintiffs respectfully request until the end of this week to file their Motion in compliance with Your Honor's Individual Rules. If this request is granted, Plaintiffs can file the Motion on or before December 31, 2021.

We thank Your Honor for her consideration on this matter and we remain available to provide any additional information.

Respectfully submitted,

*Avraham Scher*  
Avraham Y. Scher, Esq.

CC: (via Certified, United States First-Class Mail):

To: Buildsmart LLC  
Attention: Bernardo Santos Xavier  
Attention: Bernardo Dal Pozzolo  
244 5th Ave, Q288  
New York, New York 10001